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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,780	12/07/2000	A. Kent Porterfield	M4065.0404/P404	9134
24998	7590	06/20/2005	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			LEE, CHRISTOPHER E	
2101 L Street, NW			ART UNIT	
Washington, DC 20037			PAPER NUMBER	

2112

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/730,780

Applicant(s)

PORTERFIELD, A. KENT

Examiner

Christopher E. Lee

Art Unit

2112

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 June 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-38 and 40-56.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☒ Other: See Continuation Sheet.

REHANA PERVEEN
PRIMARY EXAMINER
6/17/05

CEL/CEL

Continuation of 11. does NOT place the application in condition for allowance because:

In response to the Applicant's argument with respect to "... Ajanovic fails to disclose or suggest a 'each link bus segment comprising ... a single-bit link status signal.' Ajanovic in fact teaches to the contrary and discloses using two independent status signals, namely RQA and RQB. ... With respect to any two devices in Ajanovic's system, (e.g., a hub agent and a hub), one device is known as device A and the other device is known as device B. Each device has its own outgoing arbitration request line (i.e., RQA for device A and RQB for device B) for requesting an arbitration request. ... Since RQA and RQB are independent signals they cannot correspond to the claimed 'single-bit link status signal' because the combination of these two independent signals RQA, RQB encode 2 bits of information. Ajanovic is required to utilize multiple arbitration signal lines because Ajanovic awards arbitration to the first device which requests the bus, thereby requiring a multi-bit status information, as a single bit signal cannot differentiate between the four possible states which arise when two devices are competing in a race (i.e., devices A and B both do not request arbitration, device A requests arbitration first, device B request arbitration first, devices A and B request arbitration simultaneously). See Column 8, lines 48-49. ..." in the Response pages 22-24, the Examiner respectfully disagrees.

First of all, it is necessary to focus on what the independent claims 1, 19, 34 and 51 recite a limitation for the claimed subject matter "link bus segment", respectively. In the exemplary claim 1, lines 3-4, it recites "each link bus segment comprising a plurality of lines for communicating commands, address, data, and a single-bit link status signal." The Applicant clearly uses the open transitional phrase 'comprising', and thus the scope of the claimed invention requires a single-bit link status signal line being included in said link bus segment.

Secondly, the reference Ajanovic of the prior art in the record discloses Hub interface (i.e., link bus hub), and a plurality of communication links (i.e., a plurality of link bus segments) in Fig. 1 and at col. 3, lines 56-58. And, the Applicant admitted that the combination of two independent signals RQA, RQB encode 2 bits of information. However, the Applicant doesn't recognize that (1) said encoding operation is not processed by Hub agent, but by Hub interface, (2) either RQA or RQB sends a status of requesting ownership of Hub interface, respectively and exclusively, and (3) each communication link (i.e., each link bus segment) has a single bit status signal on a line of either RQA or RQB because said line of either RQA or RQB shows a status of requesting ownership of Hub interface from either Hub agent A or Hub agent B. In other words, Ajanovic clearly suggests the claimed subject matter "link bus segment" having "single-bit link status signal" such that a communication link between Hub interface and Hub agent having a single bit status signal showing the requesting status of Hub interface.

Therefore, in contrary to the Applicant's statement, all the claimed invention in the independent claims 1, 19, 34 and 51 are anticipated by Ajanovic.

Furthermore, even though the Applicant asserts that Ajanovic requires a multi-bit status information on page 23, lines 9-14 in the instant Amendment, the asserted fact "multi-bit status information", if any, might be transferred via a plurality lines of single-bit link status signals because the claim language recites "each link bus segment comprising a single-bit link status signal" using the open transitional phrase "comprising."

Thus, the Applicant's argument on this point is not persuasive..

Continuation of 13. Other: The After Final amendment amended the claim 5 for correcting typographical error (formal matter), and the Final claim rejections will be maintained after being entered upon appeal.